

# Rickner PLLC

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July 11, 2023

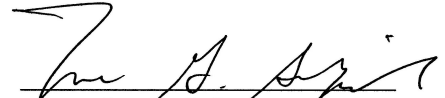
Defendant City of New York shall file a response, not to exceed three pages, by **July 14, 2023**. So Ordered.

**Via ECF**

Honorable Lorna G. Schofield  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Dated: July 12, 2023**

**New York, New York**



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Re: *Tiara Jackson v. City of New York, et al.*, 22-CV-508 (LGS)

Your Honor:

This office represents Plaintiff Tiara Jackson in the above-captioned matter and writes to request an Order directing Defendant City to identify and produce a witness pursuant to Fed. R. Civ. P. 30(b)(6). While counsel for both parties have worked cooperatively to schedule the deposition after it was noticed, it appears that the New York City Police Department (“NYPD”) has failed to identify and produce this witness, necessitating the instant application.

## BACKGROUND

In early April, the parties discussed Plaintiff’s intent to notice a deposition pursuant to Rule 30(b)(6), covering the NYPD’s policies and practices concerning the right to record police activity, which is relevant because Plaintiff was arrested while filming the police. *See* Ex. A. The parties initially stipulated that the deposition would take place on or before June 1, 2023. Having received no response from the NYPD prior to that date, counsel for the City requested an adjournment, and, in a joint letter dated June 1, 2023, the parties requested an extension of time to complete discovery, including the 30(b)(6) deposition. (Dkt. 36). The Court granted this extension, extending fact discovery to the current deadline of July 21, 2023. (Dkt. 37).

The parties subsequently agreed to hold the 30(b)(6) deposition in the first week of July. However, the NYPD again failed to identify a witness prior to that date. After a brief conferral on July 10, counsel for the City indicated that the NYPD remained unresponsive to her communications. Given the limited time left in discovery, Plaintiff notified the City that it would make the instant application to the Court to avoid further extensions or delay.

## REQUEST FOR RELIEF

Plaintiff has two depositions left to complete discovery: One of a third-party officer—confirmed to take place at 10:00 a.m. on July 12, 2023—and the 30(b)(6) deponent(s). Plaintiff therefore requests that the Court order Defendant City to produce this witness (and the relevant policies and procedures that will be relied upon or discussed) by a date certain, preferably July 17 or 18. Plaintiff further requests an order directing the City and the NYPD to identify the deponent(s) to undersigned counsel at least two (2) calendar days prior to the deposition.

We thank the Court for its attention to this request.

Respectfully,

A handwritten signature in black ink, appearing to read 'Stephanie', with a stylized flourish extending to the right.

Stephanie Panousieris